

California Regional Water Quality Control Board
Santa Ana Region

Minutes of March 12, 2004
Orange County Sanitation District

1. Board Chair Beswick called the meeting to order at 9:05 a.m.

Board Members Present

Board Members Absent

Carole Beswick, Chair
Fred Ameri, Vice-Chair
Jose Solorio
Seymour Van Gundy
John Withers
Joan Dotson

William Ruh

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Joanne Schneider, Environmental Program Manager
Robert Holub, Supervising Water Resource Control Engineer
Michael J. Adackapara, Supervising Water Resource Control Engineer
Jorge León, Office of Chief Counsel
Milasol C. Gaslan, Chief of Stormwater – Inland
Jun Martinez, Chief of Regulations
Catherine A. Ehrenfeld, Staff Services Analyst

State Board Representative

There was none present.

Public Attendance

Marinell, Rick & Penny Cochran – Homeowners
Debbie Burris – DDB Engineering, inc.
Tim Piasky, Construction Industry Coalition on Water Quality
Jack Skinner
Ralph Bauer
Brenda Deeley
Bill Everest – Orange County Water District
Hilda & Pablo Hernandez – Homeowners
Jeannie Heimberger – City of Fountain Valley
Matt Yeager – San Bernardino County Flood Control
Joe Dawkins – Orange County CoastKeeper
Don Schulz – Surfrider Foundation
Rod Cruze – City of Riverside
Klaus Rehere – EQC
Mike Wenner – Orange County Water District
Mike Markus – Orange County Water District
Marc Luesebrink – Manatt, Phelps
Uzi Daniel – West Central Basin Municipal Water District
Nira Yamachika – Orange County Water District
Jim Colston – Orange County Sanitation District
Jamie Aderhold – J2A Environmental

Susan Longville – Water Resources Institute
Chris Crompton – Orange County Resources & Development Mgmt. Dept.
Cario Carlno – University of California at Riverside
Mariam Hanna – University of California at Riverside
Bob Thompson – Representative for Senator Soto
Mark Jirgal – Environmental Mgmt. Strategies
Steven Elie – Law Offices of Musick, Peeler & Garrett

2. Public Forum

Tim Piasky, Building Industry Association, announced Workshops on March 3, 2004 at the Ontario Hilton and on March 25, 2004 in Mission Viejo.

3. Approval of Minutes

Action: It was moved by Member Joan Dotson, seconded by Member Jose Solorio and unanimously approved that the Minutes of the January 22, 2004 meeting be approved as presented.

4. Consent Calendar

- *5 Renewal of Waste Discharge Requirements, Glen Ivy Hot Springs, Inc., Riverside County (NPDES No. CA 8000023) – Order No. R8-2004-0003
- *6 Revised Waste Discharge Requirements, Orange County Water District, Interim Water Factory 21 and Groundwater Replenishment System, Talbert Gap Seawater Intrusion Barrier and Kraemer/Miller Recharge Basins, Orange County. Order No. R8-2004-0002
- *7 Rescissions – Waste Discharge Requirements for the following facilities are proposed to be rescinded because discharges from the facilities have ceased, the dischargers are regulated by other orders, or the discharges pose an insignificant threat to water quality.

<u>ORDER #</u>	<u>FACILITY & LOCATION</u>
R8-2002-0096	Riverside Waste Management Dept., Moreno Valley General WDR for the discharge of Stormwater and Wastes
94-26	Associated with Boatyard Operations and Discharges of Other Related Wastes to Lower Newport Bay and Huntington Harbor

*8 Federal Fiscal Year (FFY) 2004 State Revolving Fund (SRF) Loan Program for the Santa Ana Region – Resolution No. R8-2004-0027

Action: It was moved by Member Dotson, seconded by Member Solorio and unanimously approved that the Board adopt Order No. R8-2004-0003, Order No. R8-2004-0002, Resolution No. R8-2004-0027 and Rescind Order No. R8-2002-0096 and Order No. 94-26.

9. Administrative Civil Liability Complaint, Union Pacific Railroad, San Bernardino County, Order No. R8 –2004-0016

The Board was advised that the liability had been paid and the discharger waived its right to a hearing. No further Board action was required.

10. Administrative Civil Liability Complaint, Holliday Rock Company, Inc. Orange County Order No R8-2004-023

This item was postponed.

11. Administrative Civil Liability Complaint, Brookfield Homes Southland, Inc., Orange County Order No. R8-2004-0022

The Board was advised that the liability had been paid and the discharger waived its right to a hearing. No further Board action was required.

12. Public Workshop, San Bernardino County Municipal Storm Water Permittees' Model Water Quality Management Plan Guidance (WQMP)

Milasol Gaslan, Chief of Inland Storm Water Section, presented a brief overview of the MS4 permit requirements for new development and significant redevelopment projects and a status report on staff's and other interested parties' review of the draft WQMP. She summarized some of the deficiencies staff identified in the draft WQMP which included lack of WQMP coverage for non-category projects that were included in the previous guidance, clarification on the overall approach for pollutant identification and treatment system selection, and hydrologic impacts of concern determination. Some of the comments received from NRDC/Defend the Bay and CICWQ, including those more significant issues resulting from the meeting or conference call that staff and permittee representatives held with the commenters, were also identified.

Speakers on the item were:

Tim Piasky, Construction Industry Coalition on Water Quality, voiced his concerns regarding mandatory requirement of BMPs such as pervious pavement that he perceives would not be technically or economically feasible for a lot of projects, and emphasized the need for flexibility.

Matt Yeager, San Bernardino County Flood Control District, provided the principal permittees' perspective on the development of the WQMP document. They want a document that is streamlined so that it is clear in the plan-review process. He identified the significant issues from their point of view, which include to what degree of detail would the WQMP require project proponents to address cumulative impacts and hydrologic impacts of concern.

Information pertaining to this item is contained in a verbatim transcript.

13. Orange County CoastKeeper Presentation on SEP funded Kelp Reforestation Project.

Garry Brown presented a video on the progress of the Kelp Reforestation Project.

14. Supplemental Environmental Project, California State University, San Bernardino

Susan Longville of Cal State San Bernardino presented a proposal for SEP Funding to support an endowed chair for their Water Quality Program. An invitation to tour their archives was extended to the Board.

A motion to recommend SEP Funding to support an endowed chair for California State University at San Bernardino Water Quality Program was made by Member Ameri and seconded by Member Dotson. The motion was unanimously approved.

15. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – James Lotito, Mill Creek Cattle Station commercial building permit.

The item was removed from the Agenda

16. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – Paul Partida, 8967 Citation Court, Alta Loma, San Bernardino County.

Jun Martirez, Chief, Regulations Section, summarized the minimum lot size requirement for septic tanks and presented photographs of the Partida residence and location of proposed "Granny Flat". It was also stated that staff is assisting Mr. Partida in finding a participant in the offset program. The Board suggested that staff follow-up with this assistance.

Mr. Partida provided comments regarding his difficulties in identifying an offset participant.

It was moved by Member Ameri to deny Appeal without prejudice at this time, seconded by Member Solorio. The motion was approved.

17. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – Marinell, Rick and Penny Cochran, 21697 High Street, Perris, Riverside County

It was moved by Member Withers, seconded by Member Solorio and unanimously approved that the Board grant the Appeal.

18. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – Pablo and Hilda Hernandez, 21661 Corson Avenue, Perris, Riverside County, APN 295-292-035

It was moved by Member Solorio, seconded by Member Withers and unanimously approved that the Board grant the Appeal with the conditions recommended by staff.

19. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – David Kerr, Kerr Construction – 2610 Northshore, Moreno Valley, Riverside County. APN 474-353-001

It was moved by Member Withers, seconded by Member Dotson and unanimously approved that the Board grant the Appeal.

20. Overview of the Occurrence of Perchlorate in the Santa Ana Region

Bob Holub, Supervising Water Resource Control Engineer, presented a report on the extent of the overall perchlorate problem in the Region, and staff research into sources of the problem.

21. Status Report on Rialto-Colton-Fontana Perchlorate Investigation

Kurt Berchtold, Assistant Executive Officer, provided an update on the progress of investigation of perchlorate pollution in this area.

22. Prado Sampling – written information item.

23. Hazardous Waste and Sewage Spill Incident Report

Lists of such incidents were provided to the Regional Board.

24. Underground Storage Tanks Site Closure Report

This report is done on a quarterly basis and will be presented at the April 30, 2004 Board Meeting.

25. Underground Storage Tanks Corrective Action Plans

This report is done on a quarterly basis and will be presented at the April 30, 2004 Board Meeting.

26. General Permits

Staff provided a list of all new permittees recently enrolled under the Region's general permits.

27. Executive Officer's Report

28. Regional Board Member Communications

There were none.

29. Closed Session

There was no closed session.

30. Adjournment

The Board was adjourned at 11:55 a.m. to the regular meeting of April 30, 2004, at 9:00 a.m. at the Cucamonga Valley Water District.

Respectfully submitted:

GERARD J. THIBEAULT
Executive Officer

/cae